

DL. October 1,
14. 2020

C.R.M. 7363 of 2020
With
C.R.A.N. 1 of 2020

(Via Video Conference)

In the matter of : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 87 of 2018 dated March 15, 2018 under Sections 302/34 of the Indian Penal Code;

And

In the matter of : Sanjoy Biswas @
Sanjay Biswas @
Buro ...petitioner.

Versus

State of West Bengal ...opposite party.

Ms. Jonaki Saha,
...for the petitioner.

Mr. N. Ahmed,
Ms. Amita Gaur,
...for the State.

The petitioner undertakes to appropriately affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims to be standing on the same footing as another co-accused in the case, inter alia, under Section 302 of the Penal Code, who has recently obtained bail from a co-ordinate bench. The petitioner is in custody for more than two years and six months. The prosecution case appears to be based on circumstantial evidence.

The State is represented and says that there is sufficient

material against this petitioner; however, the State says that the petitioner stands on the same footing as the other co-accused who was enlarged on bail on August 28, 2020 in C.R.M. 6135 of 2020.

In the circumstances, the petitioner is entitled to the same benefit.

The petitioner will be enlarged on bail upon furnishing security of Rs. 10,000/-, with two sureties of like amount, one of whom must be local, to the satisfaction of the appropriate Court in Nadia. The petitioner will also attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 7363 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

ar & dns

(Aniruddha Roy, J.)